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VIA CM/ECF

Hon. Cathy Seibel, U.S.D.J.
300 Quarropas Street
White Plains, NY 10601

Re: NAACP Spring Valley et al. v. ERCSD, No. 7:17-cv-8943.

Dear Judge Seibel:

We write to seek the Court's guidance in connection with the final judgment awarding attorneys fees and costs to Plaintiffs entered by the Court in this matter on March 30, 2021 (Ex. A, ECF No. 694). The final judgment provides that "Defendants shall pay the award plus accrued interest to Plaintiffs on or before October 15, 2021." (*Id.*) The District is now prepared to satisfy the judgment by making final payment to the Plaintiffs, and the Board of Education has approved the disbursement of funds by majority vote. (Ex. B).

Plaintiffs' counsel has objected to the Board's resolution authorizing disbursement to the Plaintiffs, and instead has instructed the District to disburse funds directly to Latham & Watkins and the New York Civil Liberties Union. The District is concerned that making payment directly to the law firms would not satisfy the terms of the final judgment. A copy of the email exchanges between counsel on the issue is attached for background. (Ex. C). The District's financial officer has been asked not to disburse funds pending resolution of the issue.

We respectfully seek guidance from the Court to confirm to whom payment should be made in order for the District to satisfy the final judgment. The District's only interest is in ensuring that once payment has been made, it can be assured that the judgment has been satisfied, and that thereafter no one will have a claim to any portion of the judgment funds. The District awaits your guidance.

Thank you very much for your attention to this request.

Respectfully submitted,

s/ David J. Butler

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